

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
UNITED STATES OF AMERICA,

x

-against-

16 Cr. 91 (PKC)

ORDER

TIMOTHY MUIR,

Defendants.

\_\_\_\_\_  
CASTEL, U.S.D.J.

x

In a letter dated March 13, 2023 (ECF 509), Timothy Muir advises that he is in the custody of the United States Immigration and Customs Enforcement in anticipation of his removal from the United States following the completion of his term of imprisonment. He also asserts that he has not had access to his legal materials since late January 2023.


The government shall cause to be delivered to Mr. Muir his section 2255 motion, associated orders and correspondence, including the Attorney-Client Privilege Waiver (Informed Consent)” form (ECF 493, 498, 499, 500, 501), together with a copy of this Order, within 14 days of the date of this Order. The government shall file a declaration attesting to its compliance with this provision.

**IF MR. MUIR WISHES TO PURSUE HIS SECTION 2255 MOTION, HE SHALL CAUSE A FULLY EXECUTED “ATTORNEY-CLIENT PRIVILEGE WAIVER (INFORMED CONSENT)” FORM TO BE FILED WITH THE COURT BY JUNE 2, 2023. IF MR. MUIR DOES NOT RETURN A FULLY EXECUTED “ATTORNEY-CLIENT PRIVILEGE WAIVER (INFORMED CONSENT)” FORM TO BE FILED BY JUNE 2, THE SECTION 2255 MOTION WILL BE DEEMED ABANDONED AND DENIED.**

Mailed to Mr. Muir 3/21/2023

If Mr. Muir does cause the waiver form to be filed, then the government's response is due 45 days after filing and any reply by Mr. Muir 30 days after the government's filing.

SO ORDERED.

  
\_\_\_\_\_  
P. Kevin Castel  
United States District Judge

Dated: New York, New York  
March 21, 2023